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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,530	08/28/2003	Shariar Motakef	23681-014	8755
30623	7590 04/29/200	95	EXAMINER	
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY			HITESHEW, FELISA CARLA	
AND POPEO, P.C. ONE FINANCIAL CENTER BOSTON, MA 02111			ART UNIT	PAPER NUMBER
			1722	<u>. </u>

DATE MAILED: 04/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

			ייעי			
	Application No.	Applicant(s)				
	10/650,530	MOTAKEF ET AL.				
Office Action Summary	Examiner	Art Unit	\neg			
	Felisa C. Hiteshew	1722				
The MAILING DATE of this communication ap Period for Reply	pears on the cover sheet with the	correspondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1) Responsive to communication(s) filed on						
3) Since this application is in condition for allowa	•	prosecution as to the merits is				
closed in accordance with the practice under						
Disposition of Claims						
4)⊠ Claim(s) <u>1-34</u> is/are pending in the application 4a) Of the above claim(s) is/are withdra 5)□ Claim(s) is/are allowed. 6)□ Claim(s) is/are rejected. 7)□ Claim(s) is/are objected to. 8)⊠ Claim(s) <u>1-34</u> are subject to restriction and/or	awn from consideration.					
Application Papers						
9) The specification is objected to by the Examin	er.					
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11)☐ The oath or declaration is objected to by the E	xaminer. Note the attached Office	ce Action or form PTO-152.				
Priority under 35 U.S.C. § 119						
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
Attachment(s)						
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail	Date ! Patent Application (PTO-152)				
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08 Paper No(s)/Mail Date	6) Other:	a.c. (ppirodator (i 10 102)	:			

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DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-17 are, drawn to a method of growing a crystal on a substrate, classified in class 117, subclass 84+.
 - II. Claims 18-34 are, drawn to a reactor system, classified in class 117, subclass 200+.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus as claimed can be used to practice another and materially different process, such as, forming a platelet shape or a small diameter, material (i.e. whisker, fiber, needle, filament)..
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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4. A telephone call was made to Shane H. Hunter on April 13, 2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felisa C. Hiteshew whose telephone number is (571) 272-1463. The examiner can normally be reached on Mon-Thurs 5:30a.m.-3 p.m.; First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Utech can be reached on (571) 272-1137. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Felisa C. Hiteshew Primary Examiner Art Unit 1722

F.H.